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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 DONNA REED, individually and on behalf
11 of all others similarly situated,

12 *Plaintiff,*

13 v.

14 SCIENTIFIC GAMES CORP., a Nevada
15 corporation,

16 *Defendant.*
17

Case No. 18-cv-00565-RSL

**STIPULATED MOTION FOR
LIMITED SUPPLEMENTAL
NOTICE PROGRAM AND
ORDER**

18 Pursuant to Local Civil Rule 10(g) Plaintiff Donna Reed (“Plaintiff”) and Defendant
19 Scientific Games Corporation (“Scientific Games”) stipulate and respectfully request that the
20 Court grant this motion and enter the attached [Proposed] Order approving of a limited
21 supplemental notice program. In support of their Stipulated Motion, the Parties state as follow:

22 1. On July 6, 2022, the Settlement Administrator apprised Class Counsel that due to
23 an inadvertent administrative error, the Settlement Administrator did not send direct postcard
24 notice to a group—consisting of approximately 0.5% of the Class Members responsible for
25 approximately .08% of the Class’s Total Lifetime Spending—that is supposed to receive
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postcard notice under the Settlement. *See* Supplemental Declaration of Jennifer Keough (“Supp. Keough Decl.”) ¶ 4.

2. Because the direct notice campaign reached more than 90% of the Class Members, and because the digital notice campaign buttressed the direct notice campaign, the Parties do not believe that the Settlement Administrator’s inadvertent administrative error poses any due process concerns to the entry of final approval here. *See, e.g.,* Federal Judicial Center, *Judges’ Class Action Notice & Claims Process Checklist & Plain Language Guide*, at 3 (2010), available at <https://www.fjc.gov/sites/default/files/2012/NotCheck.pdf> (notice campaign that reaches 70% of a class is often reasonable); *Askar v. Health Providers Choice, Inc.*, No. 19-CV-06125-BLF, 2021 WL 4846955, at *3 (N.D. Cal. Oct. 18, 2021) (“[N]otice plans estimated to reach a minimum of 70 percent are constitutional and comply with Rule 23”) (citation omitted).

3. Nevertheless, because the Settlement Agreement called for these Class Members to receive postcard notice—and more broadly because they believe it is the fair and equitable thing to do—the Parties respectfully request that the Court enter the attached [Proposed] Order establishing a limited supplemental notice program for the Class Members impacted by the Settlement Administrator’s inadvertent administrative error.

4. If the Court enters the attached [Proposed] Order, the Settlement Administrator will—as soon as July 8, 2022—immediately disseminate the Limited Supplemental Notice attached as Exhibit A to the Supplemental Keough Declaration, composed of a “buck slip” and the original notice postcard. The buck slip advises impacted Class Members that due to the inadvertent administrative error, those Class Members have until 5:00pm on August 10, 2022, to file a claim, request to be excluded, or object to the Settlement.

5. If the Court enters the attached [Proposed] Order, Class Counsel will file a status report on August 11, 2022. That status report will apprise the Court of any objections or exclusion requests received by Class Members that received the limited supplemental notice, and further apprise the Court of an updated Adjusted Claims Rate, taking into account any supplemental claims that are made.

All parties respectfully request that this Court grant this stipulated motion and enter the attached [Proposed] Order.

Dated: July 8, 2022

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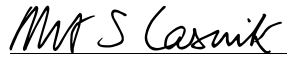
*Admitted *pro hac vice*

ORDER

The Parties' stipulated motion is **GRANTED**. The Settlement Administrator shall immediately disseminate the limited supplemental notice attached as Exhibit A to the Keough Declaration. Impacted Class Members shall have until August 10, 2022, at 5:00pm for any claims, objections, or exclusion requests to be received by the Settlement Administrator. Class Counsel shall file a status report on August 11, 2022. The Final Approval Hearing remains set for August 12, 2022, at 11:00am.

IT IS SO ORDERED.

Dated this 8th day of July, 2022.



Robert S. Lasnik
United States District Judge